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Southern Governors' Conference

Mike Mansfield 1903-2001

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modifying and perfecting efforts, however, we should not lose sight of the basic purpose of this measure or of its other meritorious features.

I am deeply interested in compensation for victims of crimes. The President has now exhibited similar interest in such a program. I am interested as well in strengthening penalties against gun criminals. The act of carrying a gun in the commission of a crime is a separate offense; courts must be compelled to treat it separately, to improve the separate sentence, to make it mandatory and to let the gun offenders know that there is no escape from his wanton act of violence in choosing such a weapon to perpetrate his wrongful acts.

I am delighted that the Republican leader has on this occasion made his position clear and I concur with him completely.

Mr. MANSFIELD. Mr. President, there has been a good deal of misconception about S. 1 and I merely wish to take this means to align myself with the remarks made by the distinguished Republican leader.

There are two sections of that bill in which I am vitally interested. One has to do with compensation for the victims of crime, which passed this Chamber five separate times, and which has not even as yet considered in the House.

Another section has to do with the carrying of a gun during the commission of a crime and the strengthened penalties for such an offense which also passed this Chamber on at least one occasion, I believe, but received no action in the other body.

What this latter provision would do would be to make the penalty for carrying a gun in the commission of a crime absolute and so severe as to deter the gun offender. The act of carrying a gun would be truly treated as a separate offense for which there would be a separate and distinct sentence. That sentence would not run concurrently but would be meted out in addition to the sentence imposed for the underlying crime. In addition the sentence for carrying the gun would be a true mandatory sentence. I think this is one way to get at the gun people—those who use that weapon in carrying out their crimes of violence. I think it would be most salutary and an effective way to deal with and deter the use of such weapons of violence.

As far as the other parts of S. 1 are concerned, it should be pointed out that the major thrust of the measure concerns the revision of the entire criminal code to eliminate inconsistencies—a reform which is long overdue. However, as the distinguished Republican leader has pointed out, it was my understanding that there would be a good deal of amending by the committee, that the proposal S. 1 would not come out in its original form simply because as introduced it contained certain items that unless modified strike at the heart of rights and protections safeguarded by the Constitution. As far as I am concerned, for example, I am opposed to those provisions which affect freedom of the press and so-called national defense issues. I am also concerned about the wiretap provisions, the insanity defense provision, and other matters, and I do not intend to support them nor have I ever intended to do so. In our